

Organization _____ Bldg./Room _____

UNITED STATES PATENT AND TRADEMARK OFFICE

P.O. Box 1450

Alexandria, VA. 22313-1450

If Undeliverable Return In Ten Days

Official Business

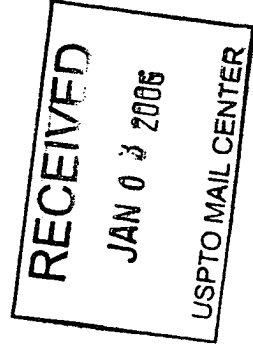
Penalty For Private Use, \$300

AN EQUAL OPPORTUNITY EMPLOYER



02 1A \$ 00.37⁰
0004205065 DEC 20 2005
MAILED FROM ZIP CODE 22314

RETURN TO SENDER



77210+4433-33 8037



UNITED STATES PATENT AND TRADEMARK OFFICE

DFW

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov



Thomas V. Miller
Howrey Simon Arnold & White, LLP
PO Box 4433
Houston, TX 77210-4433

COPY MAILED

DEC 20 2005

OFFICE OF PETITIONS

In re Application of

Joseph G. Farmerie

Application No. 09/997,678

Filed: November 29, 2001

Attorney Docket No. 10807.0098.NPUS00

DECISION ON PETITION

This is a decision on the petition under 37 CFR §1.137(b), October 11, 2005, to revive the above-identified application.

The petition is **granted**.

This application became abandoned for failure to timely remit the issue fee of \$1400.00 and publication fee of \$300.00 as required by the Notice of Allowance and Issue Fee Due (the "Notice") mailed August 2, 2004. The Notice set forth a three (3) month statutory period for reply. No response was received within the allowable period. Accordingly, this application became abandoned on November 3, 2004.

The issue fee of \$1400.00 and publication of \$300.00 were received on October 11, 2005.

Form PTOL-85(b), filed October 11, 2005, is noted and made of record.

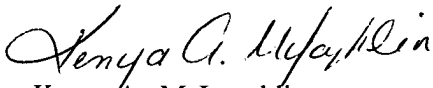
It is not apparent whether the person signing the statement of unintentional delay was in a position to have firsthand or direct knowledge of the facts and circumstances of the delay at issue. Nevertheless, such statement is being treated as having been made as the result of a reasonable inquiry into the facts and circumstances of such delay. See 37 CFR 10.18(b) and Changes to Patent Practice and Procedure; Final Rule Notice, 62 Fed. Reg. 53131, 53178 (October 10, 1997), 1203 Off. Gaz. Pat. Office 63, 103 (October 21, 1997). In the event that such an inquiry has not been made, petitioner must make such an inquiry. If such inquiry results in the discovery that it is not correct that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional, petitioner must notify the Office.

RECEIVED
OIPE/IAP
JAN 04 2006

The request for a change of the correspondence address cannot be entered because a person that is neither the inventor, nor the assignee, or a person that has been given power of attorney in the application made the request. Although a courtesy copy of the decision is being mailed to the address as cited on the petition, all future correspondence will be mailed solely to the address of record until appropriate written instructions to the contrary are received.

The application file is being forwarded to the Office of Patent Publications for processing into a patent.

Telephone inquiries concerning this matter may be directed to the undersigned at (571) 272-3222.



Kenya A. McLaughlin
Petitions Attorney
Office of Petitions

cc:

Monte R. Rhodes
3400 JP Morgan Chase Tower
600 Travis Street
Houston, TX 77002-3095